

REMARKS

Reconsideration of the pending application is respectfully requested.

I. Status of the Claims

Claims 1-4 are pending in this application and presented as a courtesy to the Examiner.

II. Rejections Under 35 U.S.C. § 102

Claims 1-4 are rejected under 38 U.S.C. § 102(b) as anticipated by US Patent No. 5,212,368 to Hara. Applicants respectfully traverse.

Claim 1 recites at least two key features:

an attack control device configured to read, when the attack content identification information stored in the attack content card is read by the reading device after the character identification information is set by the character setting device, the attack control information associated with the attack content identification information and the character identification information set as the operation target from the control information storage device, to read the magnitude of the attack associated with the attack content identification information from the attack content information storage device, and to control the magnitude of the attack based on the attack control information; [and]

a control information update device configured to read, when the specific conditions corresponding to the character identification information and the attack content identification information are satisfied, the attack control information associated with the character identification information and the attack content identification information corresponding to the specific conditions from the control information storage device to change a content of the attack control information, and to update the content of the attack control information to the changed content of the attack control information.

This combination allows the magnitude of the attack to be controlled by the character identification information and the attack content information (which make up the attack control information). Additionally, the attack control information is updated by the condition associated with the character identification information and the attack content identification information. This allows each attack card to uniquely affect the offensive ability of each character. While the character cards and attack cards are common to all players, each combination will yield different attack results.

Therefore, even if the same attack content is used, the attack result differs depending on the character performing the attack.

In a specific embodiment, the character identification information can be the “information about the offensive abilities is information about a skill of the character when the character makes an attack on the opponent. For example, the information includes a basic physical strength, an intelligence, and a vitality of the character.” Also, the attack content information can contain:

information about the degree of difficulty is information that indicates the degree of difficulty accompanying the use of the attack content in a battle. For example, the information includes the offensive abilities required of the character so as to handle the attack content, the number of times by which the character can use the attack content, and a time for which the character can use the attack content.

The publication of the Specification, U.S. Publication No. 2007/0273096, paragraph [0008]. These are some conditions that are updated to be unique to each combination of character and attack.

In contrast, Hara discloses a card game where a player card prepared for each character has parameters of the corresponding character and *is* used in combination with a condition card which changes a value of the parameter of the character (*see*, Hara, col.2 line 57- col. 3 line16). For the sake of the below argument, the character solder associated with the player card corresponds to the character identification information of the present invention, and the condition amount corresponds to the attack control information.

However, in Hara, the parameter associated with the player card is changed directly by the condition amount associated with the condition card. Hara fails to disclose and teach that the condition amount is updated when a predetermined condition is satisfied. Additionally, Hara fails to disclose and teach that the condition amount *is* associated with the character and the parameter to be changed. Thus, the parameters of every character solder will be affected identically by each condition card.

If the player card corresponds to the character card and the condition card corresponds to the attack content card, the condition amount can only correspond to the magnitude of the attack of the present invention. However, in this case, Hara fails to disclose or suggest a parameter corresponding to the attack control information which makes the condition amount change. Thus, there is no

teaching or suggestion in Hara that the condition amount which is associated with each character soldier is updated in a way unique to the corresponding character soldier.

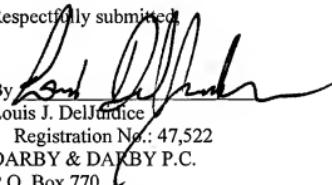
CONCLUSION

In view of the above amendments and remarks, Applicants believe the pending application and all pending claims are in condition for allowance, and earnestly solicit same.

If the Examiner feels that any remaining issues can be resolved by a Supplemental or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: October 27, 2009

Respectfully submitted

By 
Louis J. DelJutice
Registration No.: 47,522
DARBY & DARBY P.C.
P.O. Box 770
Church Street Station
New York, New York 10008-0770
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant